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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/664,294

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Nathan F. Raciborski

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7590

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EXAMINER

BATES, KEVIN T

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/664,294

Applicant(s)

RACIBORSKI ET AL.

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10-25-2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

This Office Action is in response to a communication made on October 25, 2004.

Claims 1-21 are pending in this application.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tripp (6516337) in view of Kraft (6418452).

Regarding claim 1, Tripp discloses a directory (a central catalog) which has a first conduit between the directory and a first site; a second conduit between the directory and a second site (Column 5, lines 47 – 51); a receiver function (Column 5, lines 36 – 38) to accept: a first local catalog of directory information from the first site and a second local content catalog of directory information from the second site (Column 5, lines 38 – 45); a global catalog of directory information that comprises the first local catalog and the second local catalog (Column 5, lines 36 – 38); and a first timer (Column 10, lines 9 – 11, where there is an implied timer to tell the system to periodically check for brochures), wherein the first local catalog is removed from the global catalog if the first site fails to communicate within a time period (Column 10, lines 11 – 15; Column 5, lines 38 – 42, where the time period includes a number of clock cycles of periodic checking of brochures), but Tripp does not explicitly indicate that the

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first site should autonomously report in. Kraft teaches a web site repository (Column 2, lines 15 – 18), where the global catalog has web sites report in updates to the repository (Column 5, lines 41 – 49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kraft's teachings of having websites report modifications to the master repository or global catalog of changes so that the server knows to look at the site for those updates, thus increasing the efficiency of data mining (Column 2, lines 30 – 39).

Regarding claim 2, Tripp discloses the idea that the first site and second site respectively reports the first local catalog and second local catalog to the receiver function according to a predetermined schedule (Column 6, lines 40 – 44).

Regarding claim 3, Tripp discloses that the first conduit and the second conduit each comprise the Internet (Column 5, lines 12 – 14).

Regarding claim 4, Tripp discloses the idea that the first and second local catalogs provide location information for a plurality of content objects (Column 5, lines 15 – 25).

Regarding claim 5, Tripp discloses the idea that the location information comprises at least a file name (Column 6, lines 13 – 14) and an address (Column 5, lines 14 – 15).

Regarding claim 6, Tripp discloses the idea of a second timer wherein: the second local catalog is removed from the global catalog if the second site fails to **autonomously** respond before the second timer expires (Column 10, lines 11 – 15).

Regarding claim 7, Tripp discloses a directory web page that is coupled to the global catalog, the directory web page adapted for display to a user, the directory web page organizing at least a plurality of content objects include in the global catalog by categories (Column 9, lines 57 – 60).

Regarding claim 21, Tripp discloses that the first directory information includes a content objects selected for publication to the third directory information by an administrator of the first site (Column 9, line 62 – Column 10, line 4)

Regarding claim 8 and 15, see the rationale for the rejection to claim 1.

Regarding claim 9 and 16, see the rationale for the rejection to claim 2.

Regarding claim 10 and 17, see the rationale for the rejection to claim 3.

Regarding claim 12 and 18, see the rationale for the rejection to claim 4.

Regarding claim 13 and 19, see the rationale for the rejection to claim 5.

Regarding claim 14 and 20, see the rationale for the rejection to claim 6.

Regarding claim 15, see the rationale for the rejection to claim 7.

### ***Response to Arguments***

Applicant's arguments filed October 25, 2004 have been fully considered but they are not persuasive.

Regarding claim 1, the applicant argues that the reference Tripp, does not disclose a first timer and that a brochure file is not directory information. The examiner disagrees, regarding the existence of a first timer, as mentioned by the applicant, Tripp discloses having a number of check cycles to check a webpage for a brochure file, if no brochure file is found after the number of cycles then it removes that web page from the

system, a check cycle is a set period of time, and the number of cycles is a multiple of that period of time, thus there is a period of time that is set by the system to find the file on the web page, thus a timer giving the web page a time period to have the brochure file or else it gets removed. As for the idea that a brochure file is not directory information, a brochure file identifies and helps classify a website, and enables that website to be cataloged on the brochure database, thus giving it a directory in the database, so it can be considered directory information.

Regarding claim 7, the applicant argues that Tripp and Kraft does not disclose a directory web page that organizes at least a plurality of content objects included in the global catalog by categories. The examiner disagrees, as seen in the rejection, Tripp discloses a web page, search engine that can find the brochure files according to their data fields, which is their categories.

Regarding claim 21, the applicant argues that neither Tripp or Kraft discloses objects selected for publication in a third directory by an administrator of the first site. The examiner disagrees, the reference Tripp discloses that on the first site, the normal web site being cataloged, the site administrator sets up a brochure file for the global catalog to find on the site and pull into the global catalog to enable it to be searched and indexed at the global site, thus published there.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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January 24, 2005

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER